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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 CHARLES D. RIEL,

11 Petitioner,

No. CIV S-01-0507 LKK KJM

12 vs.

DEATH PENALTY CASE

13 JOHN STOKES,
14 Warden of California State
Prison at San Quentin,

15 Respondent.

ORDER

16 _____/
17 During the August 29, 2007 argument on the motion for evidentiary hearing, the
18 parties discussed the status of discovery on claim 36. Discovery on this issue is proceeding in
19 another case before this court, Frye v. Warden, CIV S 99-628 LKK KJM. The parties stipulated,
20 and this court ordered, that the results of the discovery in Frye could be submitted in the present
21 case to avoid duplication of effort. See Sept. 15, 2004 Order at 3. However, petitioner's
22 counsel, who is also the petitioner's counsel in Frye, indicated he was having problems obtaining

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1 probation reports. Within seven days of the filed date of this order, petitioner's counsel shall file
2 a report on the status of the discovery on claim 36.

3 DATED: October 12, 2007.

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6 U.S. MAGISTRATE JUDGE
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